

591—12.5(455G) Participating lender program.

12.5(1) The participating lender program has been established to stimulate additional private capital for loans to qualifying borrowers under the UST fund guaranteed loan program. Participating lenders will receive assistance in the following areas relative to underground storage tanks that they currently own:

- a.* UST fund payment up to 100 percent of the site cleanup.
- b.* UST fund payment up to 100 percent of the third-party liability expenses.

12.5(2) The following outlines the criteria necessary to qualify as a participating lender:

- a.* The lender shall at the time of application to become a participating lender be the owner of record of at least one underground storage tank site that requires a cleanup.
- b.* The lender agrees at no cost to the UST fund to assist the UST fund in marketing sites that the UST fund cleans up and takes possession of if the site is located in the lender's trade territory as defined by the lender's Community Reinvestment Act (CRA) statement.

12.5(3) The following options are available to participating lenders:

- a.* The UST fund will pay \$1 of the financial institution's cleanup costs and third-party liability expenses in cleaning up a site for which the financial institution is the owner of record for each \$4 in nonguaranteed loans made to owners/operators that qualify for the guaranteed loan program. Termination of the loan by the lender could only be made in the event of default by the borrower or other breach of the loan agreement by the borrower. Termination for any other reason by the lender shall result in repayment of the funds advanced to the lender plus interest at a rate of 10 percent per annum from the date the funds were advanced to cover the lender's cleanup and third-party liability costs.
- b.* The UST fund will pay \$1 of the financial institution's cleanup costs and third-party liability expenses in cleaning up a site for which the financial institution is the owner of record for each \$8 in guaranteed loans made to owners/operators that qualify for the guaranteed loan program.